

## SUBJECT No. 48.

Separation of Judicial and Executive Functions.

Mr. A. Narana Iyengar, Hassan Taluk.

*Mr. A. Narana Iyengar.*—The scheme for the separation of Judicial and Executive functions may be introduced into the districts where it has not been brought into force. Some reduction may be made in the number of hands in the Revenue Department, who may be posted to the Judicial Department and our request granted as early as possible.

*Dewan.*—It is the intention of Government to give effect to the scheme as early as possible, as funds permit.

## SUBJECT No. 49.

Establishment of a Privy Council for Mysore.

Mr. C. V. Venkatasanjeevaiya, Closepet Municipality.

*Mr. C. V. Venkatasanjeevaiya.*—It is highly desirable to establish a Privy Council for Mysore to entertain appeals against the orders of the Mysore Chief Court.

*Mr. P. Kannisettappa.*—People find enough difficulty in going from one court to the other in appeal. The cost is enormous to go through the existing courts and it is very undesirable to create a Privy Council for Mysore.

*Mr. Sivalingappa.*—People get ruined before they reach the Chief Court.

*Dewan.*—Cannot be considered.

## SUBJECT No. 50.

Establishment of a Second Class Magistrate's Court at each of the taluk headquarters.

Messrs. A. Srikantappa, Doddabalapur Municipality; and Rajanarasiah Setty, Tyamagondlu Municipality.

*Mr. A. Srikantappa.*—Lot of difficulties are experienced by the people for want of a Second Class Magistrate's Court in taluk headquarters. At present, witnesses hesitate very much to come forward to give evidence before courts on account of the distance. If the Government consider that the establishment of these courts is very expensive, the Munsiffs in the taluk headquarters may be invested with the Second Class Powers in addition to their work.

*Mr. Rajanarasaiya Setty* supported the representation.

*Dewan.*—It is too costly. Not enough work.

*Mr. B. Srinivasiengar.*—The travelling allowances that are paid to the Police Officers, who are to appear before the Second Class Magistrates' Courts are enormous. This enormous amount may be utilised for the establishment of Second Class Magistrates' Courts. Lot of difficulties are experienced especially in border taluks. It is very essential either to establish a Second Class Magistrate's Court or to strengthen the Police force. Only a few days ago, property worth four thousand rupees was stolen and no trace of it is yet found out. Before extradition is granted, the accused disappears with the property and it is not possible to trace him. Hence some arrangement must be made either to establish a Second Class Magistrate's Court or to strengthen the Police.

*Mr. Karnick Krishnamurthi Rao.*—If it is not possible to establish Second Class Magistrates' Courts, some of the most intelligent Bench Magistrates may be invested with

Second Class Powers experimentally. In the selection of the Bench Magistrates, the option must be entirely with the Deputy Commissioner. (Sometimes most incompetent men who know nothing of the law are recommended for these places.) If it is not done so, it would be as if purchasing these appointments in an auction.

*Mr. D. S. Hanumantha Rao.*—If this is not possible, two taluks may be clubbed together, and two Amildars, one for Revenue work, and another for criminal work, may be appointed. This entails no extra cost, and will serve the purpose of the representation.

*Dewan.*—When this suggestion was first made to Government, it was found that it was not possible to give effect to it. However, it will again be considered.

(*Vide.*—Also Dewan's concluding remarks in Appendix G.)

#### SUBJECT No. 51.

Establishment of Panchayet Courts in the Cities of Bangalore and Mysore.

Messrs. M. Ramachandra, Rao Scindia and T. Nanjappa, the Mysore Chamber of Commerce,

*Mr. T. Nanjappa.*—There has been inordinate delay in the disposal of civil suits. Even small cases are not disposed of even after two or three years. As competent men are available in both Bangalore and Mysore Cities, experimental Panchayet Courts may be established in these two places. If they prove to be working satisfactorily, more powers may be given.

*Justice Mr. K. S. Chandrasekhara Aiyar.*—The men who will have to be appointed to such courts must be well versed in law. Much knowledge of law is not required in criminal cases but in civil litigation, it is not so. On the small cause side, disposal will be quick.

*Mr. T. Nanjappa.*—Even on the small cause side, there is delay with the result that poor people lose credit and get no loans.

*Dewan.*—This question is already under the consideration of Government.

(*Vide.*—Dewan's concluding remarks in Appendix G.)

#### SUBJECT No. 52.

Increasing the jurisdiction of Village Munsiffs' Courts.

Messrs. Setty Basappa, Hoskote Municipality and Rajanarasaiya Setty, Tyamagondlu Municipality.

*Mr. Rajanarasaiya Setty.*—The jurisdiction of Village Munsiff's Court may be extended to all villages within a radius of five miles. According to the present rules the plaintiff and the defendant are to be the residents of the same place. This has been causing lot of trouble to the people. The use of stamps for issuing summons, etc., may also be introduced.

*Revenue Commissioner.*—The object with which this system was inaugurated will fail, if the use of stamps is introduced.

*Mr. Ramanna.*—People do not look upon the Bench Magistrates' Courts with respect. There is no furniture and no peon is given to them. The present system may